

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
WILLIAM SCALES,
:

Plaintiff,
:

21 Civ. 8142 (JPC)

-v-
:

ORDER
:

NEW YORK HOTEL AND MOTEL TRADES
COUNCIL, LOCAL 6,
:

Defendant.
:
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John P. Cronan, United States District Judge:

On January 28, 2022, Plaintiff submitted an application for counsel. *See* Dkt. 20. In determining whether to grant an application for counsel, the Court must consider “the merits of plaintiff’s case, the plaintiff’s ability to pay for private counsel, his efforts to obtain a lawyer, the availability of counsel, and the plaintiff’s ability to gather the facts and deal with the issues if unassisted by counsel.” *Cooper v. A. Sargenti Co., Inc.*, 877 F.2d 170, 172 (2d Cir. 1989) (per curiam). As a threshold matter, to qualify for counsel Plaintiff must demonstrate that his claim has substance or a likelihood of success. *See Hodge v. Police Officers*, 802 F.2d 58, 60-61 (2d Cir. 1986). In reviewing a request for counsel, the Court must be cognizant of the fact that volunteer attorney time is a precious commodity and, thus, should not grant a request for counsel indiscriminately. *Cooper*, 877 F.2d at 172.


After reviewing Plaintiff’s claims in light of the above factors, the Court denies without prejudice Plaintiff’s request for counsel to renewal at such time as the existence of a potentially meritorious claim may be demonstrated. The Court notes that Mr. Scales may always reach out to

the New York Legal Assistance Group (NYLAG) to see if they can assist help him. *See* <https://nylag.org/>.

The Clerk of the Court is directed to terminate Docket No. 20 and to mail a copy of this Order to the Plaintiff.

SO ORDERED.

Dated: January 31, 2022
New York, New York



JOHN P. CRONAN
United States District Judge